

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

----- x  
FANNIE MAE,

Plaintiff,

- against -

QUICKWAY ESTATES LLC; JACOB GRUNHUT;  
NEW YORK STATE DEPARTMENT OF  
TAXATION AND FINANCE; JOHN AND JANE  
DOES 1-10; ABC LLC 1-10; and XYZ CORP. 1-10,

Case No. 7:22-cv-03048

----- x  
**DEFAULT JUDGMENT OF  
FORECLOSURE**

Defendants.

----- x

Upon the accompanying Declaration of Mark A. Slama Esq., dated October 17, 2023, together with the exhibits annexed thereto, the supporting Memorandum of Law dated October 17, 2023, the Opinion and Order dated September 21, 2023, and all of the proceedings had heretofore herein, from which it appears that this action was brought to foreclose a commercial mortgage on real property wholly situate in the County of Orange, State of New York known as Section 304, Block 5, Lot 9 and commonly referred to as 5 Quickway Road, Monroe, New York, as more particularly described and identified by the legal metes and bounds description of the land included and improvement thereof of the property as set forth in Schedule 1 of the Verified Complaint in Foreclosure (the "**Mortgaged Property**"); and it further appearing that Defendant New York State Department of Taxation and Finance, which is not a natural person that could be deemed an infant, incompetent, absentee or in the military service, failed to answer the Verified Complaint or otherwise appear in the action and has further failed to lay out a disputed issue of material fact and does not raise any objections or defenses to foreclosure; and that since the filing of the Notice of Pendency of this action, the Verified Complaint has not been amended in

any manner whatsoever, it is now hereby:;

**NOW**, on the motion of Windels Marx Lane & Mittendorf, LLP, attorneys of record for the Plaintiff Fannie Mae, it is:

**ORDERED**, that Plaintiff Fannie Mae's Order to Show Cause for Default Judgment is granted in its entirety and default judgment pursuant to Fed. R. Civ. P. § 55 is hereby entered against Defendant New York State Department of Taxation and Finance in favor Plaintiff Fannie Mae; and it is further

**ORDERED**, any and all right, title or interest Defendant New York State Department of Taxation and Finance may have against the Mortgaged Property is junior and subordinate to Plaintiff Fannie Mae's mortgage liens on the Mortgaged Property; and it is further

**ORDERED**, that Defendant New York State Department of Taxation and Finance is barred and foreclosed of and from all estate, right, title, interest, claim, lien, and equity of redemption of, in and to the Mortgaged Property, and each and every part and parcel thereof, but is not barred from claiming a share of any surplus proceeds, if any, after payment of the entire debt owed to Plaintiff Fannie Mae.

Dated: December 5, 2023

**ENTER:**



---

Hon. Kenneth M. Karas, U.S.D.J.